

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

CHARLES DUDLEY, et al.,	:	
	:	
Plaintiffs,	:	
	:	
JOHN WOOD, et al.,	:	
	:	
Plaintiffs,	:	5:00-CV-515 (DF)
	:	
vs.	:	
	:	
CITY OF MACON, et al.,	:	
	:	
Defendants.	:	

ORDER

Before this Court is the Consent Order (doc. 148) submitted by the parties, and tentatively approved by the Court on August 24, 2006. The Court reserved final approval of the Consent Order until it conducted a fairness hearing and heard objections, if any, to the order.

The Court conducted the fairness hearing today, September 19, 2006. During the hearing, the Court gave City of Macon Police and Fire Department employees who filed objections to the Consent Order an opportunity to voice their objections. The Court then allowed the parties' counsel to respond to the objections, and to offer the witness testimony of Dr. Cassi Fields, the industrial psychologist who developed the promotional

examinations at issue in this case. In this Court's view, the parties' attorneys and Dr. Fields wholly and adequately responded to the objections.

After carefully considering the objections in light of the attorneys' written (doc. 163) and oral responses, as well as Dr. Fields's testimony, the Court finds that these objections do not warrant modification of the Consent Order, as most—if not all—of the objections raised issues outside of Title VII's purview. Moreover, given the attorneys' stipulation that the promotional examinations for the City of Macon's Fire and Police Departments do not adversely impact minority applicants, and the absence of evidence demonstrating otherwise, the Court concludes that the Consent Order is constitutional, lawful, reasonable, and in accordance with public policy.¹

Accordingly, the Court grants the Consent Order (doc. 148) provisionally entered by this Court on August 24, 2006, its **FINAL APPROVAL**.

SO ORDERED, this 19th day of September, 2006.

/s/ Duross Fitzpatrick
DUROSS FITZPATRICK, JUDGE
UNITED STATES DISTRICT COURT

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¹ See *Stovall v. City of Cocoa, Fla.*, 117 F.3d 1238, 1240 (11th Cir. 1997).